

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KEVIN SKVORAK, JUSTIN LIPSON,
LARRY SMITH, KIMBERLY KREUTZER

No. 05-5100 RBL

Plaintiffs,
v.

ORDER GRANTING
PLAINTIFF'S MOTION FOR
EXTENSION FOR EXPERTS

THURSTON COUNTY, et al.,
Defendants.

This matter is before the Court on Plaintiffs' Motion for Extension for Experts [Dkt. #55]. Plaintiffs' counsel states that he has been delayed by unexpected complications in other litigation, substantial computer problems, and health problems. Defendant Thurston County argues that because Plaintiffs have repeatedly failed to meet deadlines and comply with procedural court orders, the Court should deny Plaintiffs' motion. Alternately, Thurston County argues that the Court should grant the extension of time according to Thurston County's proposed list of deadlines. For reasons discussed below, the Court GRANTS Plaintiffs' Motion for Extension for Experts [Dkt. #55].

The Court notes that this is Plaintiffs' third request for an extension of time. Based on Plaintiffs' repeated requests for extensions, and the Court's inflexible trial date of October 10, 2006, the Court is

reluctant to continue to extend the dates for pretrial deadlines. However, in this instance, that reluctance is overcome by the Court's desire to ensure that cases are decided on the merits, and to ensure that all parties have an opportunity to flesh out the merits prior to mediation and trial.

The Court will EXTEND certain pretrial dates, such that the final schedule of pretrial dates is as follows:

5-7 DAYS Jury Trial set for 09:00 AM (B Courtroom) on	October 10, 2006
Plaintiffs must SEND Defendants initial disclosure and COMPLETE and SEND medical authorization forms by	Within 10 days of the date of this Order
Deadline for FILING names and addresses of experts	Within 10 days of the date of this Order
Disclosure of expert testimony under FRCP 26(a)(2)	5/26/2006
All motions related to discovery must be FILED by	6/9/2006
Discovery COMPLETED by	6/30/2006
All dispositive motions must be FILED by	7/28/2006
Settlement conference per CR 39.1(c)(2) HELD no later than	8/28/2006
Agreed pretrial order OR, if counsel has agreed to dispense with the pretrial order, Witness and Exhibit Lists, are due on	9/11/2006
(Jury Trial) Proposed Voir Dire, Jury Instructions and Trial Briefs or (Bench Trial) Trial Briefs and Proposed Findings of Fact and Conclusions of Law shall be FILED by	9/11/2006
Motions in limine must be FILED by and NOTED on the motion calendar by no later than the second Friday thereafter	9/15/2006
Mediation per CR 39.1(c)(3) HELD no later than	9/15/2006
Letter of compliance as to CR 39.1 FILED by	9/22/2006

1 The Court encourages the parties to resolve future conflicts without the Court's intervention. To that
2 end, the Court urges the parties to review the American College of Trial Lawyers' Code of Pretrial Ethics.
3 American College of Trial Lawyers, *Code of Pretrial Ethics*, available at <http://www.actl.com> (search "Code
4 of Pretrial Ethics"). The Preamble summarizes this Court's expectations of the parties:
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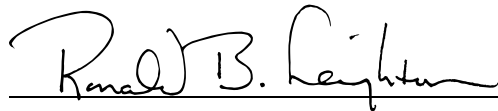
6 In pretrial proceedings, a trial lawyer owes opposing counsel duties of courtesy,
7 candor, and cooperation in scheduling, serving papers, communicating in writing and in
8 speech, conducting discovery, designating expert witnesses, and seeking to resolve cases
without litigation.

9 Trial lawyers owe similar duties of courtesy, candor, and cooperation to judges during
10 the pretrial stage. These duties include preserving judges' time by seeking to resolve disputes
11 without court involvement, promptly communicating with judges about significant
developments, and following all judicial directives.

12 Plaintiffs' Motion for Extension for Experts is GRANTED [Dkt. #55]. The Clerk is directed to send
13 uncertified copies of this Order to all counsel of record and to any party appearing *pro se* at said party's last
14 known address.

15 IT IS SO ORDERED.

16 DATED this 24th day of April, 2006.

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21 RONALD B. LEIGHTON
22 UNITED STATES DISTRICT JUDGE
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